

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-CR-00219-RJC-DCK

USA

v.

FARSHIEN BAGHALZADEH

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ORDER

THIS MATTER is before the Court on the defendant's motion for a second continuance of the trial of this case, currently scheduled during the December 7, 2015 criminal trial term. (Doc. No. 16).

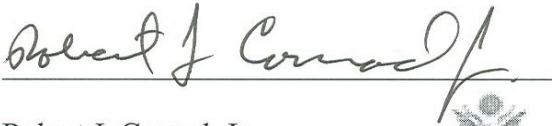
The grand jury indicted the defendant on September 17, 2015, (Doc. No. 1), and the case was set for trial during the October 2015 term, (Scheduling Order, September 28, 2015). At that time, the government was ordered to provide required discovery within ten days. (Discovery Order, September 28, 2015).

Counsel moved to continue the case, (Doc. No. 13: Motion), and the Court re-set the trial during the December 2015 term. (Oral Order, October 2, 2015). Counsel filed a motion for a second continuance on November 4, 2015, stating that the government had provided some, but not all, discovery and that counsel had not completely reviewed the available materials. (Doc. No. 16: Motion at 1). It is unclear from the motion whether the materials not yet provided are required to be produced prior to trial according to Fed. R. Crim. P. 16 and the Court's Discovery Order, or whether they are materials counsel would prefer to have prior to trial, such as prior statements of witnesses subject to 18 U.S.C. § 3500.

IT IS, THEREFORE, ORDERED that within ten days of the entry of this Order, the government shall file a response to the defendant's motion, including the allegation that he has

not received complete discovery. The government shall specifically address whether all information required to be disclosed has been provided to the defendant, and, if not, why not and the expected schedule for its provision. If an evidentiary hearing is necessary to resolve the motion to continue, the parties will be notified by separate order.

Signed: November 9, 2015

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

